



# STREET VACATION PETITION APPLICATION

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We, the undersigned, do hereby petition the Board of Commissioners of South Whitehall Township to vacate:

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NOTE: ABUTTING, UNDERSIGNED, PROPERTY OWNERS

The abutting property owner(s) requesting the Township vacate any unopened or opened street or alley or portion thereof, where the Township or any other utility company has underground or surface (poles) facilities therein, shall submit to the Township an eight and one half inch by eleven inch (8 1/2' x 11") plan, to scale, prepared and certified by a by a Registered Surveyor indicating the existing original roadway right-of-way width; the actual location (distances) of the underground utility(s) to the original right-of-way lines; and any and all physical, structural or flora encroachments into said original right-of-way.

Said ordinance to vacate, approved by the Township, shall include a statement regarding the Township's and/or any other utilities' right to any retained utility easement in said original roadway right-of-way and absolving them of any responsibility to protect or replace any above surface encroachments because of maintenance, repair or construction.

A Preliminary Assessment Fee of \$500.00 shall accompany all petition forms. This Preliminary fee is non-refundable. If a Preliminary Assessment by the Board of Commissioners proves to be unfavorable, the petitioner(s) may choose to withdraw the petition and incur no additional expense. If a favorable preliminary assessment is made by the Board of Commissioners, the petitioner(s) may choose to continue through the full process to eventually have the street or alley vacated.

The Security Escrow of \$5,000.00 shall be paid prior to any action beyond the Preliminary Assessment. This fee is placed in an escrow account and any engineering and legal fees incurred by the Township shall be deducted from this account. Unexpended funds, if any, will be reimbursed to the petitioner(s) upon completion of the vacation.



## **PROCEDURE FOR VACATING A STREET/ALLEY**

- \* The petitioner must complete a street vacation petition form and submit it to the Township Manager. The petition forms are on file in the permits office.
- \* A photo copy of the tax map showing the portion of the street/alley to be vacated shall be submitted with the petition. The following details shall be identified on the tax map:
  - a). highlight the area to be vacated
  - b). identify any physical structures or vegetative encroachments in the street/alley.
  - c). note any underground utilities within the bed of the street/alley.
- \* The Township Manager shall place the petitioners request on a Board of Commissioners agenda for consideration.
- \* If the Board of Commissioners decides to consider the request, the petitioner shall execute an Escrow and Reimbursement Agreement before the township proceeds to engage its engineer and solicitor.
- \* Once the escrow security is established, the petitioner is to submit a metes and bounds description of the area to be vacated.
- \* The Township Engineer will be directed to conduct a study and report back to the Board at the Public Hearing. The Township will send PP&L a standard form letter along with plans for their review and comment. The petitioner is responsible for contacting the following utility companies to obtain easements or a letter indicating that they have no interest in the street/alley:
  - a). UGI
  - b). Verizon
  - c). Service Electric Cable TV, Inc.
  - d). South Whitehall Township Public Works Dept.
  - e). South Whitehall Township Authority
- \* The Board will conduct a Public Hearing to review all the requested information i.e., utility company letters/easements and the Township Engineers report.
- \* The Board will conduct another public hearing to adopt the proposed Ordinance if warranted. All information shall be finalized to be incorporated into Ordinance.
- \* After adoption of the Ordinance, the Township Solicitor will have a written report to the Board. The proper documents will then be recorded at the Clerk of Orphans Court.
- \* The Community Development Dept. must post the alley within 10 days after the adoption of the ordinance indicating that the street/alley has been vacated.